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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/729,685  | 12/05/2003  | Dejan Radosavljevic  | 905-191             | 4574             |
| 44564   | 7590        | 04/13/2006           | EXAMINER            |                  |
| BOND, SCHOENECK & KING, PLLC<br>10 BROWN ROAD, SUITE 201<br>ITHACA, NY 14850-1248 |             |                      | BENENSON, BORIS     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2836                |                  |

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/729,685 | <b>Applicant(s)</b><br>RADOSAVLJEVIC ET AL. |  |
|                              | <b>Examiner</b><br>Boris Benenson    | <b>Art Unit</b><br>2836                     |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-46 is/are allowed.
- 6) ☒ Claim(s) 1,5-25 and 47-50 is/are rejected.
- 7) ☐ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/22/04, 4/08/05</u> <i>KK</i>   | 6) <input type="checkbox"/> Other: _____                                    |

***Detailed Actions***

***Drawings***

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figures 1-4 employing half toning technique and such drawings will not provide clear illustration of the invention when they are printed. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.
2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the first spring element "is in tension in the closed position" and "in compression in the open position" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended.

The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

3. Claims 6-9 and 12-15 are objected to because of the following informalities: The language of the claims describes a "first shutter blade" and a "second shutter blade". In opinion of Examiner the Applicants meant to indicate elements that shutter blades of a plug from entering the receptacle and ought to be named a first blade shutter and a second blade shutter, the elements do not comprise any blades. Appropriate correction is required.

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4. Claims 10 and 11 are objected to because of the following informalities: Claims require the first spring element been in tension in closed position and in compression in open position. Examiner does not find a spring element which changed its status from been in tension to been in compression.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 5-19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5 includes a limitation "the first slide assembly and the second slide assembly being disposed spaced apart from each other in the closed position, and configured to simultaneously slide together when the protective shutter mechanism is moved from the closed position into the open position". Claim 1 defined the closed and the open position of the protective shutter mechanism as positions dependent on insertion o not insertion of the plug into

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receptacle openings. In Examiner's opinion, Applicants meant to indicate that the first and the second slide assemblies slide together when the protective shutter mechanism is moved from a locked position into an unlocked position. Claims 6-19 didn't correct indicated indefiniteness.

6. Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear from the language of the claims if the first spring element is changing its state from tension to compression with change of position of shutter mechanism or any other element.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this

Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 23-25, 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Short (4,867,694) in view of Brenner (3,845,234). Short disclosed a Safety Electrical Receptacle

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comprising a receptacle member including a body (Figs 3,4, Pos.12) read on housing and a cover (Figs 1-7, Pos. 18). Receptacle contacts (Fig.3, Pos. 14, 16) disposed in the housing. "As seen in FIG. 3, slot 22 is aligned with the line plug-in contacts 14, slot 24 is aligned with the neutral plug-in contacts 16, and slot 26 is aligned with ground plug-in contacts (not shown)" (Col.3, Lines 34-37). A protective shutter mechanism (Fig.2) is movable from a closed position to an open position upon insertion of a plug. As it is seen on Figure 7, the mechanism is not movable to open position upon insertion of an object (Fig.7, Pos. 29) into one receptacle opening (22) and the object is prevented from making contact with corresponding receptacle contact (14) by a ledge (64). Short didn't disclose the protective shutter mechanism been substantially sealed. Brenner teaches a Means For Protecting Electrical Receptacles, comprising a gasket read on a membrane (Figs.1 and 2, Pos. 8). Brenner teaches "The gasket is preferably made of rubber or equivalent material having good self sealing characteristics so that when the plug is removed from the socket the apertures will be protected from the entry of foreign materials, such as, rain, dust, dirt, and will discourage children from inserting anything into the live receptacle"(Col.2, Lines 8-15). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to have modified the receptacle of Short with teachings of Brenner and install into the receptacle a sealing gasket with sealable openings for inserting the plug, because as teaches Brenner it will protect the receptacle from foreign materials, such as, rain, dust and dirt.

8. Claim 2, 20-22 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Short (4,867,694) in view of Brenner (3,845,234) and Finlay (6,587,319). Short in view of Brenner disclose all the limitation of Claim 1, as it was discussed above, but didn't disclose a mis-wiring sensor configured to sense a proper wiring. Short in view of Brenner did not disclose also a fault detection circuit disposed on a circuit board being configured to detect a fault condition and disconnect the power source from at least one receptacle. Finlay teaches a Ground Fault Circuit Interrupter With Indicator Lamp that includes a mis-wiring detection, a ground fault detection arc fault detection, and disconnection the power source from the receptacles. Finlay teaches a test button read on a manually operable assembly that is accessible to a user to test/reset the interrupter. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified and include miswiring sensor according to Finlay's teachings, because it will provide addition protection for the receptacle



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and attached circuitry. It would have been obvious to one of ordinary skill in the art at the time the invention that an arm that would connect the test button with contact (Fig. 1, Pos. 130) should be sealed similar to all other elements.

***Allowable Subject Matter***

9. Claims 26-46 are allowed.

10. Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claim 5 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if rejection under 35 U.S.C. 112, second paragraph is overcome.

12. Claims 6-19 are dependent on would be allowable claim 5, and would be allowable if claim 5 is allowed and rejection of claims 10 and 11 under 35 U.S.C. 112, first paragraph is overcome.

**The following is an examiner's statement of reasons for allowance:**

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13. Independent Claim 26 is allowable because none of the prior art of record disclose a protection device configured to protect a portion of a power distribution system from a fault condition wherein a mis-wiring sensor actuate a protective shutter mechanism from a locked state to an unlocked state in response to detecting the proper wiring condition in combination with the other claim limitations.

14. Claims 3-4 would be allowable because none of the prior art of record disclose a protection device configured to protect a portion of a power distribution system from a fault condition wherein a mis-wiring sensor prevent/allow a protective shutter mechanism to move from a locked state to an unlocked state if the proper wiring condition is not sensed or sensed in combination with the other claim limitations.

#### **Contact information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (571) 272-2048. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

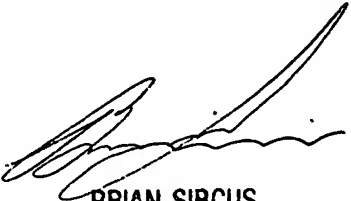
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 ext 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Boris Benenson  
Examiner  
Art Unit 2836

B.B.



**BRIAN SIRCUS**  
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